



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3766

Interim Patent Application of:

John D. Puskas

Application No.: 10/672,586

Confirmation No.: 8660

Filed: September 26, 2003

Examiner: Kristen Droesch Mullen

"METHODS OF INDIRECTLY  
STIMULATING THE VAGUS NERVE  
WITH AN ELECTRICAL FIELD"

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR §1.97(c)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Copies of the foreign and non-patent references listed are enclosed. Please charge the required fee to Deposit Account No. 13-3080. Applicant respectfully requests citation of these references. No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Raye L. Daugherty  
Reg. No. 47,933

File No. 065071-9052-07  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue, Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560



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Substitute for form 1449/PTO

**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/672,586
Filing Date	September 26, 2003
First Named Inventor	John D. Puskas
Group Art Unit	3766
Examiner Name	Kristen Droesch Mullen
Attorney Docket Number	065071-9052-07

Sheet 1 of 8

**U.S. PATENT DOCUMENTS**

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	3,614,995	Probert, et al.	10/26/1971
	3,804,098	Friedman	4/16/1974
	4,088,138	Diack et al.	5/9/1978
	4,161,952	Kinney, et al.	7/24/1979
	4,176,660	Mylrea, et al.	12/4/1979
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	4,321,929	Lemelson, et al.	3/30/1982
	4,351,330	Scarberry	9/28/1982
	4,603,705	Speicher, et al.	8/5/1986
	4,715,367	Crossley	12/29/1987
	4,919,147	Reinhardt, et al.	4/24/1990
	4,931,464	Grover, et al.	6/5/1990
	4,952,586	Morris et al.	8/28/1990
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	5,007,893	Row	4/16/1991
	5,025,807	Zabara	6/12/1991

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Sheet	2	of	8	Attorney Docket Number	065071-9052-07

U.S. PATENT DOCUMENTS				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		5,036,848	Hewson	8/6/1991
		5,050,600	Parks	9/24/1991
		5,117,822	Laghi	6/2/1992
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		5,263,480	Wernicke	11/23/1993
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		5,269,303	Wernicke et al.	12/14/1993
		5,282,468	Klepinski	2/1/1994
		5,299,569	Wernicke et al.	4/5/1994
		5,304,120	Crandell, et al.	4/19/1994
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		5,335,657	Varrichio et al.	8/9/1994
		5,365,926	Desai	11/22/1994
		5,379,765	Kajiwara, et al.	1/10/1995
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		5,700,282	Zabara	12/23/1997
		5,707,400	Terry, Jr., et al.	1/13/1998
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		5,893,881	Elsberry, et al.	4/13/1999

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		5,893,882	Peterson et al.	4/13/1999
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		6,272,380	Warman et al.	8/7/2001
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**U.S. PATENT DOCUMENTS**

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	6,711,436	Duhaylongsod	3/23/2004
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	6,721,603	Zabara et al.	4/13/2004
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	2004/0186517	Hill et al.	9/23/2004
	2004/0186531	Jahns et al.	9/23/2004

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Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		2004/0199209	Hill et al.	10/7/2004
		2005/0096707	Hill et al.	5/5/2005
		2005/0143412	Puskas	6/30/2005
		RE38,654	Hill, et al.	11/23/2004
		RE38,705	Hill, et al.	1/22/2005

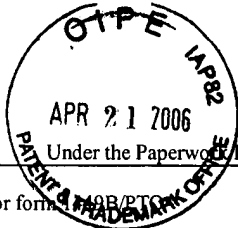
FOREIGN PATENT DOCUMENTS						
Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
	CA	2,310,183	Puskas	8/26/1998		X
	JP	2000-507363	Puskas	8/26/1998		
	MX	2043	Puskas	8/26/1998		
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	CA	2,376,903	Puskas	6/23/2000		X
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	EP	1005337	Puskas	5/11/2005	X	

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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc. ), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		AGNEW, William F., et al., "Considerations for Safety with Chronically Implanted Nerve Electrodes, Epilepsia, 31(Suppl. 2), 1990, pp. S27-S32, Raven Press, Ltd., New York.
		Declaration/Clarification of John D. Puskas, MD., dated October 11, 2005, pp. 1-7.
		GOODMAN AND GILMAN'S, The Pharmacological Basis of Therapeutics, 6th Ed., MacMillan Publishing Co., Inc., New York, pp. 93-94 and 104-108, 1980.
		GORMAN, Christine, et al., "How New Heart-Scanning Technology Could Save Your Life," <u>Time</u> , September 5, 2005, pp. 61 and 67.
		HAMMOND, Edward J., et al., "Vagus Nerve Stimulation in Humans: Neurophysiological Studies and Electrophysiological Monitoring," Epilepsia, 31 Suppl. 2), 1990, pp. S51-S59, Raven Press, Ltd., New York.
		LOCKARD, Joan S., et al., "Feasibility and Safety of Vagal Stimulation in Monkey Model," Epilepsia, 31(Suppl. 2), 1990, pp. S20-S26, Raven Press, Ltd., New York.
		NOBREGA, et al., "Resting and Reflex Heart Rate Responses During Cholinergic Stimulation With Pyridostigmine in Humans," Brazilian J. Med. Biol. Res, Vol. 29, No. 11, pp. 1461-1465, 1996 (Abstract Only).
		PENRY, J. Kiffin, et al., "Prevention of Intractable Partial Seizures by Intermittent Vagal Stimulation in Humans: Preliminary Results," Epilepsia, 31(Suppl. 2), 1990, pp. S40-S43, Raven Press, Ltd., New York.
		RUTECKI, Paul, "Anatomical, Physiological, and Theoretical Basis for the Antiepileptic Effect of Vagus Nerve Stimulation," Epilepsia, 31(Suppl. 2), 1990, pp. S1-S6, Raven Press, Ltd., New York.

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		TERRY, Reese, et al., "An Implantable Neurocybernetic Prosthesis System," Epilepsia, 31 (Suppl. 2, 1990, pp. S33-S37, Raven Press, Ltd. New York.
		THOMPSON, et al., "Bradycardia Induced by Intravascular Versus Direct Stimulation of the Vagus Nerve," Ann. Thorac. Surg., 1998; 65: 637-42.
		URTHALER, James F., "Experimental Studies on the Pathogenesis of Asystole After Verapamil in the Dog," Am. J. Cardiol., Vol. 44, No. 4, pp. 651-656, 1979 (Abstract Only).
		UTHMAN, Basim M., et al., "Efficacy and Safety of Vagus Nerve Stimulation in Patients with Complex Partial Seizures," Epilepsia, 31(Suppl. 2), 1990, pp. S44-S50, Raven Press, Ltd., New York.
		WOODBURY, Dixon M., et al., "Effects of Vagal Stimulation on Experimentally Induced Seizures in Rats," Epilepsia, 31(Suppl. 2), 1990, pp. S7-S19, Raven Press, Ltd., New York.
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				Application Number	10/672,586
				Filing Date	September 26, 2003
				First Named Inventor	John D. Puskas
				Group Art Unit	3766
				Examiner Name	Kristen Droesch Mullen
Sheet	3	of	4	Attorney Docket Number	065071-9052-07

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Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc. ), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		LEVY, M. et al., "Autonomic Control of Cardiac Pacemaker Activity and Atrioventricular Transmission," Journal of Applied Physiology, vol. 27, No. 4, October 1969.
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		BRODDE, Otto-Erich, et al., "Cardiac Muscannic Receptors Decrease with Age In Vitro and In Vivo Studies," Journal of Clinical Investigation, 1998, Vol. 101, No. 2, pp. 471-478.
		REID, Steven A., "Surgical Technique for Implantation of the Neurocybernetic Prosthesis," Epilepsia, 1990, 31 (suppl. 2): 538-539.

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